

**Memorandum of the Meeting
Regular Study Session/Meeting
Twenty-Seventh Town Council of Highland
Monday, July 06, 2015**

The regular study session of the Twenty-Seventh Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, July 06, 2015** at the time of 7:01 o'clock p.m.

Silent Roll Call: Councilors Mark A. Herak, Bernie Zemen, Dan Vassar and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to an extended work commitment. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

Also present: Randy Bowman, Assistant Inspector for Electrical; and Dion Katsouros, Senior Project Manager of the Skillman Corporation were present.

Additionally Present: Mr. Vern Sieb, 3024 Lakeside Drive, Highland, Indiana was also present.

General Substance of Matters Discussed or Proposed

1. *Status and Disposition of Police Station Construction.* Mr. Dion Katsouros from the Skillman Corporation distributed the updated printed status report regarding the construction progress on the Police Station (Public Safety Facility) at 3315 Ridge Road, Highland. He then offered a cursory overview of its contents.

Mr. Katsouros reported that a series of non-conforming items identified by the Architect in a recent review of the construction, has all been redressed with one remaining. It was noted that there had been a change to some insulation in consequent of the "value engineering," there had been a change to this particular item. The Architect, Wilson-Estes, has reportedly urged that the insulation be restored. It was noted that the suggested remediation would be significantly expensive. Mr. Katsouros indicated that the end goal regarding ecological metrics was being discussed and alternatives that would meet the same objective are being considered.

Mr. Katsouros also indicated that the October 2015 completion or dedication date was still attainable. No major changes in the timetable were being reported.

2. *Discuss the Road Resurfacing Schedule and its Financing.* The Clerk-Treasurer reported that the materials and timetable have been prepared and action can be taken at the July 13 meeting regarding the resurfacing public works note, to be taken up at the 13 July meeting. Rhett, Jim Shanahan and Jim Higgins have been advised. It was noted that the reported amount of the note was still not to exceed \$1,700,000 in order to satisfy the approved list of road resurfacing that was approved by the passage and adoption of Works Board Order No. 2015-12, which listed resurfacing projects for local roads totaling an estimated cost of \$ 1,663,580. It was further noted that some of the approved projects were already underway.
3. *Confirm modifying the CEDIT Capital Improvement Plan, taking the paving money and repurposing it for the Timed Pedestrian Signals and other lights.* It was noted that there was a scheduled additional appropriations hearing for the MCCD Fund that included costs associated with timed pedestrian traffic signals. It was noted that current County Economic Development Income Tax (CEDIT) Capital Improvement Plan (CIP) and options related to it, included an amount also committed to resurfacing roadways. The Town Council reviewed the currently filed Capital Improvement Plan as filed by the Town Council President for a period from 2014-

2015, for the following matters in the following amounts:

Resurfacing the roads:	\$ 280,213.
Regional transit Contribution for Westlake Extension:	\$ 114,884.
Projects for Improved Environment:	\$ 129,321.
Town Theater Refurbishment:	\$ 50,000.

The discussion included a consideration of the prospect that the amount dedicated for the road resurfacing could be repurposed for the timed pedestrian traffic signs as well as the lighted roadway sign names and way-finding. It was further noted that to repurpose the resurfacing amounts, it would require the Town Council President as municipal executive to file a revised CIP. This suggestion came in light of the fact that the current resurfacing would be supported by the public works note financing. Further it was noted that one of the items to be considered in proposed additional appropriation of the MCCD Fund, included the Pedestrian timed traffic signals, in the amount of \$19,120. If the CEDIT amount for resurfacing was repurposed, it would conserve that amount from the MCCD Fund for its cash reserves. There was no objection to taking expressed by the Councilors in taking this alternative financing approach. The Clerk-Treasurer would prepare the needed changes to the CIP for the Town Council President to file with the Lake County Auditor to permit this repurposing.

4. *Budget Calendar and parameters.* The Town Clerk-Treasurer distributed editions of a Proposed iteration of the local Budget Calendar for the Town of Highland, prepared to be consistent with the governing budget law.

He further noted that the growth quotient for the operational property tax levies comprising the maximum levy for the Town is 2.6%, based upon a memorandum from the Department of Local Government Finance, calculated with valued provided at the U.S. Bureau of Economic Analysis at June 22.

The Town Council and the Clerk-Treasurer discussed generally issues for the FY 2016 Budget including possible increases owing to health insurance and the new costs to the Police Department associated with utilities, once the department locates in the newly constructed Police Station, 3315 Ridge Road, Highland. The discussion included the need for the Clerk-Treasurer to make some anticipated adjustments to the current year's budget owing both expected and unexpected changes to the budgets of some departments. He further discussed this suggesting that some percentage would be suggested for the health and other insurance budgeting. Further, the Clerk-Treasurer noted that there would probably be an instruction not to include any plans for a general increase to the budget in part owing to the uncalculated effects for changes that are required in the current year. There was no objection to suggested approach.

5. *Discussion regarding additional raise for workers occupying the positions of Lead Support Services Clerk, Lead Support Training Coordinator, and Support Services Clerk in the Metropolitan Police Department.* There was a discussion regarding whether these positions should be also getting the general increase of 4.5% as other full-time workers did in 2015. It was noted that other workers received really two increases of 2.25% percent, one at the start of the year and the second to be effective June 21, 2015. It was further noted that the police department positions described were reformulated positions that were formerly performed by Records Clerks. It was still further noted that at the time of the reformulated positions, featuring the associated pay increase, since the persons taking the positions were existing workers occupying the former Records Clerks positions -- even as newly created positions -- would be allowed to pay the promoted workers at the full incumbent rate rather than the starting rate. It was understood that these workers

would not be receiving the general increase since the increases from the former pay rates were significant.

The promotion or move from Police Records Clerk (\$13.44) to Support Services Clerk (\$15.32), represented an increase in hourly pay of 16%. It was further noted that for those in the previous position of Police Records Clerk (\$13.44), promoted or reassigned to the newly created positions of Lead Support Services Clerk (\$16.32) or Lead Support Services Training Coordinator (\$16.32), the increase represented an increase of 21% in hourly pay. It was suggested that the Police Chief should attend a meeting to discuss the matter.

6. *Plan Commission Docket 2015-01: Petitioner Michael Webb of Webb Hyundai, seeking to rezone a nearby property located at 2330-41st Street, Highland, from its current zoning of R-3 Multiple Family Residential to B-3, General Business.* The purpose of the rezoning would be allow the property to serve as a new car and employee parking lot. This property is proximate to the main site of Webb Hyundai, 9236 Indianapolis Boulevard. The Town Council briefly discussed the petitioner and the favorable recommendation coming from the Plan Commission. The concerns of the neighborhood were discussed and the measures if any that the petitioner pledged to take to address the concerns were discussed. It was noted that the matter had been certified by the Plan Commission to the Town Council for its consideration. It was noted that some members of the Council desired to review the actual site. No instruction was offered to place it on the agenda for the Town Council Meeting of July 13, 2015.

7. *Colloquy with Vern Sieb, 3024 Lakeside Drive, Highland, regarding his concerns about Prairie Square.* With leave from the Town Council, Mr. Vern Sieb, 3024 Lakeside Drive, Highland, Indiana, was permitted to present his concerns about the Prairie Square Development, located at 2121 45th Avenue, Highland, Indiana, styling itself as an "extended stay motel". It was noted that this development was located on a property zoned B-3 General Business District. Mr. Sieb attended and inquired about the status of the Town Council's desire to seek another legal review and opinion regarding this matter. The Town Council President reported to Mr. Sieb that outside counsel had been located and a review was anticipated upon receipt of the necessary documents requested by the attorney.

Mr. Sieb renewed his belief that the business was operating in-fact as an "apartment complex", which he believed was not permitted in the B-3 Zoning. Mr. Sieb referred to several sources related to his belief alleging Prairie Square was not a permissible development as an "extended stay hotel" at its location and some observations regarding his belief that it was not a motel.

He again stated that the units had no furniture. Mr. Sieb still further indicated that he saw that each unit was separately metered for electrical and natural gas service and he stated his belief that each tenant was responsible to pay its own utilities. Mr. Sieb further read from Section 18.45.020(B) of the Highland Municipal Code and stated his belief that the provision prohibited Prairie Square as it is operated.

The Town Clerk-Treasurer again stated that he believed the basis for the current legal opinion proffered by the Town Attorney, noted that the portions of the Zoning Code that define terms such as "hotel" or "motel", and could be found in Section 18.05.080 of the zoning code, present definitions for those terms that do not expressly limit or prohibit the development of an "extended stay hotel" and do not sufficiently define the

characteristics of a motel or hotel to permit an argument that suggests that the elements described by Mr. Sieb, again, for lodging practices he has reported of Prairie Square, which seem atypical of a motel or hotel in common experience, necessarily clearly violate the zoning code. It was further noted that Section 18.45.020 (B)(24) expressly listed "*Motels and Hotels*" as permissible uses in the zoning district that the property of Prairie Square inhabits.

8. *Community Events Commission Independence Day Parade Protocols*. Councilor Vassar and the Town Council discussed a series of concerns that he raised in consequence of his recent experience at the Independence Day Parade. Councilor Vassar stressed that his concerns were not to be taken as a criticism of the volunteers who put together and manage the events. The discussion featured an exploration of a current practices and perhaps a review with an intention to offer possible changes in future parades dealing with the following matters: (1) Instituting a possible rule that would prohibit the use of the sirens of the Fire Trucks; (2) clarify the protocol regarding the ordering of participants at the front of the parade that was understood to be that the first unit was always to be the United States Flag, followed by military units and veterans, and then to be followed by the elected officers of the Town.

The discussion further included a clarification of the existing rules prohibiting campaigning in the parade and regulating signs identifying participants in the parade to language that did not include solicitation for votes by candidates or political advertisement. The Council discussion included reiterated its compliments and praise of the volunteers of the Community Events Commission for its work.

Finally, the discussion included whether there was a prohibition of smoking in the park or at least at the places where food was served and consumed. The discussion included some councilors experiencing smoking.

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, July 06, 2015**, was adjourned at 8:16 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer